

## **Exhibit 2**

## Commissioner of Patents &amp; Trademarks

Washington, D.C. 20231

Sir: Please stamp the date of receipt and the serial number, if appropriate, hereon, and return by mailing. Thank you.

## Documents:

- 1) Petition to Revive Unintentionally Abandoned Application
- 2) Notice of Appeal
- 3) Certificate of Mailing
- 4) Return Postcard
- 5) Two Checks for \$665.00 & \$165.00

Late Documents Mailed: July 8, 2004

-----For Application-----

Title: RETRACTABLE STRAW FOR DRINKING  
CONTAINERS

Serial No. 09/669,245

Applicant: Kuighadush

Art Unit: 3727

Filing Date: September 25, 2000

Docket No.: 845-002

Attorney: Joseph Sofer

BEST AVAILABLE COPY

SOFER & HAROUN LLP ATTORNEYS AT LAW 17 MADISON AVENUE, SUITE 100 NEW YORK, NY 10017		JPMORGAN SEBASTIAN NEW YORK, NY 10038	
		DATE	AMOUNT
		Jul 8/2004	\$665.00
*****			
PAY TO THE ORDER OF		Commissioner of Patents and Trademarks	
OF		Docket No. 845-002	
Petition to Revive Unintentionally Abandoned Application			
⑆0000105⑆⑆021000021⑆009076449665⑆			

SOFER & HAROUN LLP ATTORNEYS AT LAW 17 MADISON AVENUE, SUITE 100 NEW YORK, NY 10017		JPMORGAN SEBASTIAN NEW YORK, NY 10038	
		DATE	AMOUNT
		Jul 8/2004	\$165.00
*****			
PAY TO THE ORDER OF		Commissioner of Patents and Trademarks	
OF		Docket No. 845-002	
Notice of Appeal			
⑆0000105⑆⑆021000021⑆009076449665⑆			

PatentDocket No. 845-002RECEIVED  
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MAR 29 2005IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Kuighadush  
Serial No. : 09/669,245  
Filed: : September 25, 2000  
For : RETRACTABLE STRAW FOR DRINKING CONTAINERS

CERTIFICATE OF MAILING

Mail Stop Petitions  
COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I hereby certify that the attached Petition to Revive Unintentionally Abandoned Application, Notice of Appeal, Two Checks for \$665.00 and \$165.00, and Return Postcard along with any paper(s) referred to as being attached or enclosed and this Certificate of Mailing are being deposited with the United States Postal Service on the date shown below with sufficient postage as first-class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Respectfully submitted,  
SOFER & HAROUN, L.L.P.

By: Sandra Cirillo

Sandria Cirillo

Date: 7/8/04

Mailing Address:  
SOFER & HAROUN, LLP  
317 Madison Avenue, Suite 910  
New York, New York 10017  
Tel: (212) 697-2800; fax (212) 697-3004

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**MAR 29 2005**

Attorney Docket No. 845-002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

-----X

In re Application of

Kuighadush

Examiner: Joseph Man Moy

Group Art Unit: 3727

Serial No. 09/669,245

Filed: September 25, 2000

For: RETRACTABLE STRAW FOR DRINKING CONTAINERS

-----X

**PETITION TO REVIVE UNINTENTIONALLY ABANDONED  
APPLICATION (37 CFR 1.137(b))**

**Mail Stop Petitions**

Commissioner for Patents

Box 1450

Alexandria, VA 22313-1450

Dear Sirs:

Applicant hereby files this Petition to Revive Unintentionally Abandoned Application,  
pursuant to 37 CFR 1.137(b).

Pursuant to 37 CFR 1.137(b)(3), embodied herein is a concise statement that the entire  
time of abandonment of the Application was unintentional.

On December 2, 2003 a Final Office Action was mailed for the above-identified application. On April 30, 2004 a timely response to the Final Office Action was filed.

Subsequently, the six month deadline to file a response to the final Office Action passed June 2, 2004. However, we received no Advisory Action and thus the Notice of Appeal was inadvertently not filed. We realized that the file had gone abandoned while checking on the status of the Application, and immediately filed this Petition. As such Applicant respectfully submits that the entire delay in filing the required Notice of Appeal from the due date until the filing of this grantable petition was unintentional.

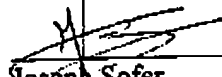
Included with this response is the petition fee of \$665.00 pursuant to 37 CFR 1.137(b)(2) and 37 CFR 1.17(m). Applicant hereby submits the required Notice of Appeal and fee for \$165.00 as required under 37 CFR 1.137(b)(1) and also requests that the Application proceed to the Examiner for further consideration of the April 30, 2004 Amendment.

In view of the foregoing, Applicant respectfully submits this grantable Petition to Withdraw holding of Abandonment and requests that the Office of Petitions withdraw the abandonment of this application.

Respectfully Submitted,

SOFER & HAROUN

By:

  
Joseph Sofer  
Reg No. 34,438  
317 Madison Avenue  
Suite 910  
New York, NY 10017  
(212) 697-2800

Dated:

7/8/04

PTO/SB/31 (08-04)

Approved for use through 07/31/2008. OMB 0651-0031  
 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
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**NOTICE OF APPEAL FROM THE EXAMINER TO  
 THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Docket Number (Optional)

845-002

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on July 8, 2004

Signature

Typed or printed name Sandria Cirillo

In re Application of

Ruighadush

Application Number

09/669,245

Filed

09/25/2000

For **RETRACTABLE STRAW FOR DRINKING..**

Art Unit

3727

Examiner

Joseph Man Moy

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 1.17(b))

\$ 330.00

☒ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:

\$ 165.00

☒ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 19-2825. I have enclosed a duplicate copy of this sheet.

☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

☒ attorney or agent of record. 34,438  
 Registration number

☐ attorney or agent acting under 37 CFR 1.34.  
 Registration number if acting under 37 CFR 1.34. \_\_\_\_\_

Signature

Joseph Sofer, Esq.

Typed or printed name

212-697-2800

Telephone number

7/8/04

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.191. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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